This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 21 SANTO DOMINGO 005411

SIPDIS

FOR INL/LP KEVIN BROWN

E.O. 12958: N/A TAGS: <u>SNAR</u> <u>DR</u>

SUBJECT: Draft Dominican Republic International Narcotics Control Strategy Report (INCSR) Part 1 Drug and Chemical Control

Following is draft text of Embassy's submission for the 2005-2006 INCSR Part I for the Dominican Republic. Data tables for calendar years 2005, 2004 and 2003 will follow septel.

## ¶I. Summary

The Dominican Republic is a major transit country from South America, with cocaine transiting to Europe, and both cocaine and heroin to the United States. Occasionally MDMA (ecstasy) transits the Dominican Republic en route to the United States. The Government of the Dominican Republic (GODR) continued to cooperate closely with the United States Government (USG) in counternarcotics matters. Last year (2005) was marked by increased seizure rate and increased quantities of interdicted heroin, cocaine and

MDMA; further increase in extraditions; advances in domestic law enforcement capacity, institution building and interagency networking; and progress in criminal proceedings in major bank fraud cases. Although the GODR strengthened its efforts to combat corruption in 2005, corruption and weak governmental institutions remained an impediment to controlling the flow of illegal narcotics through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

II. Status of Country

There is no significant cultivation, refining, or manufacturing of major illicit drugs in the Dominican Republic. Dominican criminal organizations are increasingly involved in command and control of international drug trafficking operations, but the country's primary role in regional drug trafficking is as a transshipment hub. Seizures in 2005 continued to indicate that cocaine, heroin, and marijuana destined for the United States and, to a lesser extent, Europe were being transshipped through the DR and its territorial waters. Interdicted MDMA (ecstasy) was most often being transported from Europe to the United States. Law enforcement authorities noted a low level of drug smuggling via the ferries operating to Puerto Rico, probably due to improved departure screening and significant physical security improvements at the Santo Domingo ferry terminal.

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Dominican nationals play a major role in the actual transshipment of drugs. Fishing and "go-fast" crews in the Caribbean include Dominican nationals, mostly fishermen recruited from the local docks. The crews speak Spanish, the language of the source country smugglers; move easily throughout the Caribbean; and are recruited for very low

The Dominican Republic is not a producer of precursor chemicals.

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The DNCD, the law enforcement arm responsible for counternarcotics measures, and the National Drug Council (CND), the GODR's policy and planning organ, have adopted a computerized system that tracks seizures of assets in connection with drug-related offenses.

The GODR continues to struggle to implement anti-money laundering legislation passed in 2002. In support of this effort, a Financial Analysis Unit under the CND was created, staffed and received training. (See the Money Laundering section of this report.)

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Cultivation/Production. There is no known cultivation of coca or opium poppy in the DR. Cannabis is grown on a small scale for local consumption. There is no definitive evidence of in-country manufacture of MDMA.

Distribution/Sale, Transport and Financing. In 2005, drugs were easily accessible for local consumption in most metropolitan areas. The Dominican Republic attracted a growing number of tourists from Europe, the United States, and Canada who provided a customer base for local drug sales, especially at the beachfront vacation resorts. Traffickers often used drugs to pay low-level couriers and distributors. Gang violence and settling of drug-related scores, especially in northern cities, were subjects of frequent headlines in the Dominican press. The DNCD continued to focus interdiction operations on the drugthrough the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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transit routes in Dominican territorial waters along the northern border and on its land border crossings with Haiti, while attempting to prevent air drops and maritime delivery of illicit narcotics to remote areas. The majority of air tracks in 2005 originated in Venezuela. Asset Seizure. Two asset seizure laws were recently clarified by an executive order stating that the measures set forth in Law 78-03 prevail over those contained in 72-102. 78-03 permits the seizure, conservation and administration of assets which are the product or instrument of criminal acts pending judgment and sentencing.

Extradition. The U.S.-Dominican Extradition Treaty dates from 1909 and does not deal with many drug-related offenses. It is augmented by the 1988 UN Drug Convention. through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention. II. Status of Country

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Extradition began in earnest only in 1998, when President Fernandez signed implementing legislation. During 2005, judicial review was added to the procedure for extradition, making extraditions more objective and transparent. During 2005, the U.S. Marshals continued to receive excellent cooperation from the DNCD's Fugitive
Surveillance/Apprehension Unit and other relevant Dominican authorities in arresting fugitives and returning them to the United States to face justice.
The GODR extradited 32 Dominicans and arrested and deported 12 fugitives back to the U.S. for prosecution purposes. Local authorities, working with the Federal Bureau of Investigation (FBI) and the U.S. Immigration and Customs Enforcement (ICE), arrested and deported or expelled an additional 10 subjects. Of these 54 cases, 42 were through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.
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Mutual Legal Assistance. The GODR cooperates with USG agencies, including the DEA, FBI, U.S. Customs and Border Protection (CBP), ICE, Department of Defense and U.S. Marshals Service, on counternarcotics and fugitive matters. The DNCD housed and manned the DEA-sponsored CDI at its facilities in Santo Domingo. An increasing number of Caribbean countries have found the CDI's intelligence analysis services useful and are now both frequent contributors and beneficiaries of new information. In 2005, the Dominican Navy did not normally conduct illegal migration interdiction operations in the Mona Pass except when participating in USG-funded joint operation (see section on bilateral cooperation). The Navy instead focused their efforts on shore patrol operations. through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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Examination of captured smuggling vessels indicated a strong link between illegal migration and drug smuggling. On a typical voyage, several passengers carry backpacks containing one or two kilos of cocaine. Precursor Chemical Control. The Secretariat of Health is responsible for the control of chemicals entering and departing the Dominican Republic. The CND has prohibited the re-exportation of certain chemicals.

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Demand Reduction. The DNCD conducted over 135 youth events in various cities and neighborhoods reaching over 120,000 young people with the message that competitive and recreational activities are better choices than drug abuse.

Law Enforcement Efforts. In 2005, the DNCD increased its seizure rate and netted record single seizures of both through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention. II. Status of Country

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heroin (39 kilos) and MDMA (259,627 units) with the cooperation and assistance of the DEA. The October 2 record seizure of heroin was effected in Santo Domingo The October 2005 based on intelligence concerning the Colombian owners' search for buyers. The November 2005 record seized units of MDMA were found along with a firearm in 3 abandoned bags from Amsterdam at the Gregorio Luperon International Airport in Puerto Plata. The DNCD netted several other multi-hundred kilogram seizures in 2005 including 128 kilograms of cocaine hidden in a container of denim jeans bound for bound for New York and 442 kilograms of cocaine from a Colombian trafficking organization operating in the Dominican Republic. Through November 2005, overall seizures totaled 2,191 kilograms of cocaine, 111.8 kilograms of heroin, 280,627 units of MDMA, and 1,146 pounds of through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention. II. Status of Country

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marijuana. The DNCD made 2,916 drug-related arrests in 2005; of these, 2,802 were Dominican nationals and 114 were foreigners. Although, the majority of arrests and seizures happened at one of the seven international airports in the Dominican Republic, the actual amount of drugs seized was small. Most of the significant seizures were made in the larger cities. Maritime seizures remain a challenge for the DR, especially drugs hidden in commercial vessels for shipment to the U.S. and/or Europe and drugs arriving by "go-fast" boats from South America. The DNCD and their DEA counterparts concentrated increasingly on investigations leading to takedown of large criminal organizations. The GODR expanded its counternarcotics and counter-through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention. II. Status of Country There is no significant cultivation, refining, or manufacturing of major illicit drugs in the Dominican Republic. Dominican criminal organizations are increasingly involved in command and control of international drug trafficking operations, but the country's primary role in regional drug trafficking is as a transshipment hub. Seizures in 2005 continued to indicate that cocaine, heroin, and marijuana destined for the United States and, to a lesser extent, Europe were being transshipped through the DR and its territorial waters. Interdicted MDMA (ecstasy) was most often being transported from Europe to the United States. Law enforcement authorities noted a low level of drug smuggling via the ferries operating to Puerto Rico, probably due to improved departure screening and significant physical security improvements at the Santo Domingo ferry terminal. Dominican nationals play a major role in the actual transshipment of drugs. Fishing and "go-fast" crews in the Caribbean include Dominican nationals, mostly fishermen recruited from the local docks. The crews speak Spanish, the language of the source country smugglers; move easily throughout the Caribbean; and are recruited for very low pay. The Dominican Republic is not a producer of precursor chemicals. III. Country Actions Against Drugs in 2005 Policy Initiatives. Intelligence-sharing continues to play an important part in interdiction efforts. The Drug Enforcement Administration (DEA) Center for Drug Information (CDI), housed in the National Drug Control Directorate (DNCD), served as a clearinghouse for intelligence within

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explosive canine units with U.S., Dutch and international assistance, increasing coverage to all international airports and major sea ports. The DNCD continued to upgrade its equipment, train technicians, and develop new software in furtherance of a multi-year, USG-supported effort to share data among Dominican law enforcement agencies and to make information available on demand by field officers.

The Dominican Navy and the DNCD participated in two combined operations with the U.S. Coast Guard (USCG), CBP and DEA in January-February (Op MANGU) and September (Op IGUANA) 2005 to combat the regional threat of narcotics trafficking in the approaches to Puerto Rico. Operation MANGU succeeded in interdicting 2,000 kilos of cocaine. Both operations were conducted pursuant to existing through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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## bilateral agreements.

Corruption. The GODR does not, as a matter of government policy, encourage or facilitate illicit production or distribution of narcotics, psychotropic drugs, and other controlled substances, nor does it contribute to drug-related money laundering.

Dominican institutions remain vulnerable to influence by interest groups or wealthy individuals, including narcotics traffickers. The GODR has not convicted any senior government official for engaging in, encouraging, or facilitating the illicit production or distribution of illicit drugs or controlled substances, or for the

laundering of proceeds from illegal drug transactions. In the past 12 months, the GODR has appointed and supported the reform agendas of several reform-minded high-level through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention. II. Status of Country

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officials untainted by political scandals. The new Attorney General has aggressively pursued several anti-corruption investigations and has also implemented competitive civil service recruitment of prosecutors (in the past were all political appointees). A financial disclosure law for senior appointed, civil service and elected officials has been implemented in the Dominican Republic, but lack of auditing controls and applicable sanctions have weakened the effectiveness of this measure.

The GODR is a party to the Inter-American Convention Against Corruption and in 2001 signed the consensus agreement on establishing a mechanism to evaluate compliance with the Convention.

Agreements and Treaties. The DR is a party to the 1988 UN Drug Convention. In 1984, the USG and the GODR entered into through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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officials in the new code. an agreement on international narcotics control cooperation. In May 2003 the Dominican Republic entered into three comprehensive bilateral agreements on Cooperation in Maritime Migration Law Enforcement, Maritime Counter-Drug Operations, and Search and Rescue, granting permanent over-flight provisions in all three agreements for the respective operations. The three agreements conclude a long bilateral effort to secure permanent over-flight provisions; previous agreements provided only annual provisions. In addition, the Maritime Counter-Drug Agreement broadened the scope of operations agreed to by the parties. The GODR signed, but has not yet ratified, the Caribbean Regional Maritime Agreement. The GODR has signed but not ratified the UN Convention against Transnational Organized Crime, the Protocol to through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention. II. Status of Country There is no significant cultivation, refining, or manufacturing of major illicit drugs in the Dominican Republic. Dominican criminal organizations are increasingly involved in command and control of international drug trafficking operations, but the country's primary role in regional drug trafficking is as a transshipment hub. Seizures in 2005 continued to indicate that cocaine, heroin, and marijuana destined for the United States and, to a lesser extent, Europe were being transshipped through the DR and its territorial waters. Interdicted MDMA (ecstasy) was most often being transported from Europe to the United States. Law enforcement authorities noted a low level of drug smuggling via the ferries operating to Puerto Rico, probably due to improved departure screening and significant physical security improvements at the Santo Domingo ferry terminal. Dominican nationals play a major role in the actual transshipment of drugs. Fishing and "go-fast" crews in the Caribbean include Dominican nationals, mostly fishermen recruited from the local docks. The crews speak Spanish, the language of the source country smugglers; move easily throughout the Caribbean; and are recruited for very low pay.
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Prevent, Suppress and Punish Trafficking in Persons, the UN International Convention Against Terrorist Financing, the Protocol against the Smuggling of Migrants, and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms.

IV. U.S. Policy Initiatives and Programs Bilateral Cooperation. Cocaine and heroin trafficking, money laundering, institutional corruption, and reform of the judicial system remain the primary counternarcotics concerns of the USG in the Dominican Republic. The USG and the GODR cooperate to develop Dominican institutions that can interdict and seize narcotics shipments and conduct effective investigations leading to arrests, prosecutions, and convictions. The USG continues to urge the GODR to improve its asset forfeiture procedures and its capacity to through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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regulate financial institutions, develop and maintain strict controls on precursor chemicals, improve its demand reduction programs, enhance its prosecutorial function, and strengthen and improve coordination among its law enforcement institutions.

During 2005, the USG provided essential equipment and training to expand the counternarcotics canine units and supported the DNCD's vetted special investigation unit, assessed border security, and enhanced DNCD computer training, database expansion and systems maintenance support.

The USG assisted the Dominican Navy with its equipment maintenance and training programs and participated in joint counternarcotics and illegal migration operations as noted above. The USG also provided training and equipment to through the Dominican Republic. The Dominican Republic is a

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enhance the capabilities of specialized airport and port security forces.

The Dominican Navy and Air Force have a direct communications agreement with the USCG regional operations center in San Juan, Puerto Rico. Dominican Navy vessels have participated in a few maritime drug seizures and joint exercises. Navy shore patrols have disrupted illegal migration voyages, another favorite method for smuggling drugs.

The U.S. Agency for International Development (USAID) criminal justice and transparency program continues to emphasize training for investigators, prosecutors, public defenders and judges in new criminal procedures and investigation/prosecution of complex crimes. Progress has been observed in 2005 in faster case processing, decreased through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention. II. Status of Country

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pre-trial detention, availability of public defenders and prosecutors 24 hours per day, and positive change in justice sector's attitudes toward presumption of innocence of the accused. USAID provided three weeks training to a group of 40 police, prosecutors, auditors, judges, banking superintendent investigators, and drug control officers in organized crime investigation and case management. Seventeen of the group received three weeks additional training from international experts and will receive three more weeks advanced training in 2006. This group forms a core inter-agency complex crimes investigation/prosecution taskforce.

USAID is also assisting the Public Prosecutor's office develop and implement policies and procedures for evidence through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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preservation and asset seizure and maintenance given recent policy changes transferring these authorities from judges to prosecutors.

A law enforcement development program targeting the National Police, including training in the code of criminal procedure, reform of the basic and in-service training, planning capacity-building and internal affairs office restructuring and reform has been implemented by the Embassy Narcotics Affairs Section (NAS).

The U.S. Department of Justice and Department of State provided advanced training to mid-level police officers at the FBI Academy, the International Law Enforcement Academy (ILEA) in Roswell, NM, and through FBI re-trainers in Panama and El Salvador. DEA offered a basic drug through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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intelligence course for the DNCD in December. Several DNCD officers attended FBI training in interview and interrogation techniques.

The Dominican chapter of the Business Alliance for Secure Commerce (BASC), a voluntary alliance of manufacturers, transport companies, and related private sector entities, expanded its training program and was cited by CBP officials as one of the most effective BASC chapters worldwide. In 2005, the BASC DR chapter expanded to 11 the number of companies who met the strict criteria for certification.

The DNCD counternarcotics canine program expanded to 31 canine units, and the airport security counter-explosive canine unit, started in 2004, expanded to 15 canine units, with U.S., Dutch and international assistance. through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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Counternarcotics and counter-explosive canine capacity now covers all international airports and major sea ports. With USG support, the Dominican Port Authority and the DNCD maintained good security at the formerly chaotic Santo Domingo terminal of the ferry to Puerto Rico. A 2004-05 security upgrade project to bring the terminal into compliance with International Ship and Port Security (ISPS) standards and consistent use of a USG X-ray machine has improved departure processing and established controls to detect and prevent smuggling of drugs and other contraband to Puerto Rico.

The DEA-funded CDI at DNCD headquarters permits real-time sharing and analysis of narcotics-related intelligence among all the nations of the Caribbean Basin. Similar centers are established in Mexico, Colombia, and Bolivia. through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention. II. Status of Country

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The Embassy NAS funded computer and office equipment and training to establish the Financial Analysis Unit, the main GODR entity charged with receiving, requesting, analyzing, investigating and forwarding suspicious financial activity reports to/from competent legal authorities.

The Road Ahead. The immediate goal remains helping to institutionalize judicial reform and good governance. The GODR and USG are working to build coherent counternarcotics programs that can resist the pressures of corruption and can address new challenges brought by innovative narcotics trafficking organizations. The USG and the GODR will continue strengthening drug control cooperation through sharing of information and developing closer working relations among principal agencies. The USG will continue providing training and equipment for the DNCD, focusing its through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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attention on the information technology and intelligence exchange necessary to disrupt narcotics smuggling at Dominican land and sea borders and at airports. Support for the training, equipping and re-certification of the counternarcotics and counter-explosives canine units will continue. The USG will continue to provide support to Dominican anti-money laundering entities, and Dominican government and private sector counternarcotics efforts, including provision of specialized technical equipment and support of business and civil society demand reduction efforts.

USAID and the NAS will provide further training to prosecutors, investigators, and national police, increasing their professionalism and ensuring that they are prepared to continue to implement the new Criminal Procedure Code. through the Dominican Republic. The Dominican Republic is a party to the 1988 UN Drug Convention.

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